

Apr 13, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

THOMAS O.,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:20-CV-5105-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 17. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney David J. Burdett represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 4. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Administrative Law Judge (ALJ) shall offer Plaintiff the opportunity for a new hearing and issue a new decision. The ALJ is directed to further develop and evaluate Plaintiff's record and determine whether a disability freeze should be applied to establish a later Date Last Insured.

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1 2. **Judgment shall be entered for PLAINTIFF.**

2 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
3 **STRICKEN AS MOOT.**

4 4. An application for attorney fees and costs may be filed by separate
5 motion.

6 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
7 Order, forward copies to counsel, and **CLOSE THE FILE.**

8 DATED April 13, 2021.

A handwritten signature in black ink, appearing to read "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE